

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA

Case No.: 12-cr-010226-DJC

v.

TAMARA KOSTA

DEFENDANTS JOINT MOTION TO EXTEND TIME TO FILE MOTIONS TO  
SUPPRESS AND CHANGE FINAL STATUS CONFERENCE TO AN INTERIM STATUS  
CONFERENCE

Now come the Defendants Tamara Kosta, John Kosta, Nestor Antonio Verduzco and Alexander Napoleon, all the Defendants whom have not requested a Fed. Rule Crim. Pro. Rule 11 hearing, and jointly request that the court extend the time period for the filing of any non-discovery related pre-trial motions and/or motions to suppress from March 29, 2013 to May 31, 2013 and change the Status Conference scheduled on April 16, 2013 from a Final Status Conference to an Interim Status Conference. The Government has no opposition to this motion.

As grounds for this motion Defendants submit that on January 30, 2013 the Government filed and received the issuance of thirty (30) new search warrants seeking to search items such as computer hard drives, flash drives, and cell phones. The search warrant returns indicated that the items sought to be search had been seized and sent to the F.B.I. for analysis. On Friday March 23, 2013 Defendant Kosta's counsel, and assumable the other counsel, received an additional eighteen (18) CDs of data and discovery from the Government purportedly taken from items seized in the January 30<sup>th</sup> issued search warrants that had been analyzed by the F.B.I. It also appears that additional discovery is to be produced from a result of these newly issued search warrants and the search of that material.

Additional time is necessary for counsel to review this discovery and new material contained on the eighteen (18) CDs and research and draft any motions to suppress that may arise from this newly produced discovery. The Defendants cannot accomplish the filing of motions to suppress by the March 29, 2013 submission date imposed by the court. Defendants request and additional sixty (60) days or up to May 31, 2013 to submit any motions to dismiss or motions to suppress evidence. In addition the parties will not be ready for a Final Status Conference on April 16, 2013 as a result of the time necessary to review the newly produced discovery in light of the volume of the information produced and the respective schedules of counsel.

WHEREFORE, Defendants Tamara Kosta, John Kosta, Nestor Antonio Verduzco and Alexander Napoleon and jointly request that the court extend the time period for the filing of any motions to suppress to May 31, 2013 and change the Status Conference scheduled on April 16, 2013 from a Final Status Conference to an Interim Status Conference.

Respectfully Submitted,  
The Defendant,  
TAMARA KOSTA,  
By her attorney,

/s/ Thomas J. Iovieno  
Thomas J. Iovieno (BBO# 553361)  
755 East Broadway  
South Boston, MA 02127  
(617) 464-3300  
Email: tjilaw@yahoo.com

Date: March 25, 2013

Respectfully Submitted,  
The Defendant,  
JOHN KOSTA,  
By his attorney,

/s/ Paul Garrity  
Paul Garrity  
14 Londonderry Road  
Londonderry, NH 03053  
(603) 434-4106

Date: March 25, 2013

Respectfully Submitted,  
The Defendant,  
NESTER ANTONIO VERDUZCO,  
By his attorney,

/s/ John LaChance  
John LaChance  
615 Concord Street  
Framingham, MA 01702  
(508) 879-5730

Respectfully Submitted,  
The Defendant,  
NESTER ANTONIO VERDUZCO,  
By his attorney,

/s/ Mark Lee Williams  
Mark Lee Williams  
1071 North Grand Avenue #106  
Nogales, AZ 85621  
(520) 287-4500

Date: March 25, 2013

Respectfully Submitted,  
The Defendant,  
ALEXANDER NAPOLEON,  
By his attorney,

/s/ Raymond O'Hara  
Raymond O'Hara  
1 Exchange Plaza  
Worcester, MA 01608  
(508) 831-7551

Date: March 25, 2013

CERTIFICATE OF SERVICE

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants on March 25, 2013.

/s/ Thomas J. Iovieno

Thomas J. Iovieno

LOCAL RULE 7.1(A) (2) CERTIFICATE

I hereby certify that I have conferred with counsel in a good faith attempt to resolve or narrow the issues contained within the above motion and the Government has indicated that it has no opposition to this motion.

/s/ Thomas J. Iovieno  
Thomas J. Iovieno